

AMENDED IN ASSEMBLY APRIL 26, 2016

AMENDED IN ASSEMBLY APRIL 13, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2308

Introduced by Assembly Member Roger Hernández

February 18, 2016

An act to amend *and repeal* Section 49452.9 of, and to add Chapter 11.2 (commencing with Section 66920) to Part 40 of Division 5 of Title 3 of, the Education Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 2308, as amended, Roger Hernández. Health care coverage: enrollment assistance.

Existing law establishes the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as 2 of the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state and authorizes them to provide instruction to students at community college campuses.

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires an applicable individual to ensure that he or she, and any dependent of that individual, is covered under minimum essential coverage for each month beginning after January 2013.

This bill would establish the California Health Care Coverage Enrollment Assistance Act of 2016 to provide uninsured students of the California State University and the California Community Colleges

with information about health care coverage options and enrollment assistance commencing with the 2017–18 academic year. The act would, among other things, authorize each campus of the California State University and the California Community Colleges to develop an informational item or amend an existing enrollment form, or Internet Web site to provide uninsured students information about health care coverage options, as specified. The act would authorize each campus to also include a factsheet with its enrollment forms explaining basic information about affordable health care coverage options for students.

By requiring community colleges to perform additional duties, this bill would impose a state-mandated local program.

Existing law requires a public school, for purposes of the 2015–16, 2016–17, and 2017–18 school years, to add an informational item to its enrollment forms, or amend an existing enrollment form, in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance, as specified. Existing law authorizes a school to also include a factsheet with its enrollment forms. Existing law requires the State Department of Education to, among other things, develop a standardized template for the factsheet and the informational item or amendment and make those templates available on its Internet Web site on or before August 1, 2015. Existing law repeals these provisions on January 1, 2019.

This bill would ~~delete~~ *make* the repeal date for these provisions ~~and thereby extend these requirements indefinitely. January 1, 2024, and thereby extend these requirements until that date.~~ By extending these duties on local school districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 49452.9 of the Education Code is amended to read:

49452.9. (a) Commencing with the 2015–16 school year, and each school year thereafter, a public school, including a charter school, shall add an informational item to its enrollment forms, or amend an existing enrollment form, in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance.

(b) To satisfy the requirements of subdivision (a), a school may do either of the following:

(1) Use a template developed pursuant to subdivision (d).

(2) Develop an informational item or amend an existing enrollment form to provide information about health care coverage options and enrollment assistance.

(c) A school may include a factsheet with its enrollment forms explaining basic information about affordable health care coverage options for children and families.

(d) (1) The department shall develop a standardized template for both of the following:

(A) The informational item or amendment required by subdivision (a).

(B) The factsheet described in subdivision (c).

(2) The department shall make any templates developed pursuant to this subdivision available on its Internet Web site on or before August 1, 2015, and shall, upon request, provide written copies of the template to a school district.

(e) A school district shall not discriminate against a pupil who does not have health care coverage or use any information relating to a pupil's health care coverage or interest in learning about health care coverage in any manner that would bring harm to the pupil or the pupil's family.

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2024, deletes or extends that date.

SEC. 2. Chapter 11.2 (commencing with Section 66920) is added to Part 40 of Division 5 of Title 3 of the Education Code, to read:

1 CHAPTER 11.2. CALIFORNIA HEALTH CARE COVERAGE
2 ENROLLMENT ASSISTANCE ACT OF 2016
3

4 66920. This chapter shall be known, and may be cited, as the
5 California Health Care Coverage Enrollment Assistance Act of
6 2016.

7 66921. The California Health Care Coverage Enrollment
8 Assistance Act of 2016 is hereby established to provide uninsured
9 students of the California State University and the California
10 Community Colleges with information about health care coverage
11 options and enrollment assistance.

12 66922. (a) Commencing with the 2017–18 academic year,
13 each campus of the California State University and the California
14 Community Colleges shall identify its uninsured students and offer
15 these students contact information for local entities to provide
16 health care enrollment assistance.

17 (b) Commencing with the 2017–18 academic year, each campus
18 of the California State University and the California Community
19 Colleges shall offer uninsured students information about health
20 care coverage options.

21 (c) To satisfy the requirements of subdivision (a), the campus
22 may do any of the following:

23 (1) Add health insurance screening questions and contact
24 information for local health care enrollment assistance entities to
25 its enrollment forms.

26 (2) Develop a screening method to identify uninsured students
27 and offer these students contact information for local health care
28 enrollment entities.

29 (3) Partner with local organizations to ensure students who are
30 identified as uninsured by the campus receive health care
31 enrollment assistance.

32 (d) To satisfy the requirements of subdivision (b), the campus
33 may develop an informational item or amend an existing enrollment
34 form or Internet Web site to provide uninsured students information
35 about health care coverage options. A campus may use information
36 provided in the standard template developed by the State
37 Department of Education pursuant to Section 49452.9.

38 (e) A campus of the California State University or the California
39 Community Colleges may include a factsheet with its enrollment

1 forms explaining basic information about affordable health care
2 coverage options for students.

3 (f) A campus of the California State University or the California
4 Community Colleges shall not discriminate against a student who
5 does not have health coverage or use any information relating to
6 a student's health care coverage or interest in learning about health
7 care coverage in any manner that would bring harm to the student.

8 SEC. 3. If the Commission on State Mandates determines that
9 this act contains costs mandated by the state, reimbursement to
10 local agencies and school districts for those costs shall be made
11 pursuant to Part 7 (commencing with Section 17500) of Division
12 4 of Title 2 of the Government Code.